

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

**FILED**

AUG 28 2018

*Matthew J. [Signature]*  
CLERK

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UNITED STATES OF AMERICA,

CR 18-10006-01

Plaintiff,

SUPERSEDING INFORMATION

v.

CONSPIRACY TO DISTRIBUTE A  
CONTROLLED SUBSTANCE and  
POSSESSION OF A FIREARM  
DURING A DRUG TRAFFICKING  
CRIME

JOSHUA NOEL PAUL,

Defendant.

18 U.S.C. §§ 924(c)(1)(A) and  
924(d), 21 U.S.C. §§ 846, 841(a)(1),  
and 841(b)(1)(A)

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The Assistant United States Attorney charges and informs the Court:

COUNT I

Beginning at a time unknown to the Grand Jury but no later than on or about the 23rd day of November, 2017, and continuing to on or about the 28th day of February, 2018, in the District of South Dakota and elsewhere, Defendant, Joshua Noel Paul, knowingly and intentionally, combined, conspired, confederated, and agreed with persons known and unknown to the Grand Jury, to knowingly and intentionally distribute and possess with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A).

COUNT II

On or about between the 23rd day of November, 2017, and the 28th day of February 2018, in Codington County, in the District of South Dakota, Joshua

Noel Paul, did knowingly possess, carry and use a firearm, that is, a handgun, a Pietro Beretta 9mm pistol, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Conspiracy to Distribute a Controlled Substance, and he did possess the firearm during the offense in violation of 18 U.S.C. §§ 924(c)(1)(A) and 924(d).

### **FORFEITURE ALLEGATION**

1. The allegation contained in Count II of the Superseding Information is hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. Upon conviction of the offense in violation of 18 U.S.C. 924(C)(1)(a) set forth in this Superseding Information, Joshua Noel Paul shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d), and 28 U.S.C. § 2461(c), any firearm involved in the commission of the offense, including, but not limited to:

a. Pietro Beretta 9mm pistol, serial number C14798Z.

3. If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 28 U.S.C. § 2461(c).

Dated this 28<sup>th</sup> day of August, 2018.

RONALD A. PARSONS, JR.  
United States Attorney

A handwritten signature in blue ink, reading "Meghan N. Dilges", is written over a horizontal line.

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